

VZCZCXRO3828

RR RUEHAG RUEHAST RUEHBI RUEHCI RUEHDBU RUEHDF RUEHIK RUEHLH RUEHLN
RUEHLZ RUEHNEH RUEHPW RUEHROV RUEHSK RUEHSR RUEHVK RUEHYG
DE RUEHAH #0359/01 0781258
ZNR UUUUU ZZH
R 191258Z MAR 09
FM AMEMBASSY ASHGABAT
TO RUEHC/SECSTATE WASHDC 2499
INFO RUCNCLS/ALL SOUTH AND CENTRAL ASIA COLLECTIVE
RUCNCIS/CIS COLLECTIVE
RUCNMEM/EU MEMBER STATES COLLECTIVE
RUEHAK/AMEMBASSY ANKARA 4960
RUEHBJ/AMEMBASSY BEIJING 2720
RUEHKO/AMEMBASSY TOKYO 2585
RUEHIT/AMCONSUL ISTANBUL 3204
RUCNDT/USMISSION USUN NEW YORK 0960
RHMFIUU/CDR USCENTCOM MACDILL AFB FL
RUEHVEN/USMISSION USOSCE 3406
RUEAIIA/CIA WASHDC
RHEFDIA/DIA WASHDC
RHEHNSC/NSC WASHDC
RUEKJCS/SECDEF WASHDC
RUEKJCS/JOINT STAFF WASHDC

UNCLAS SECTION 01 OF 02 ASHGABAT 000359

SENSITIVE

SIPDIS

STATE FOR SCA/CEN, DRL

E.O. 12958: N/A

TAGS: [PHUM](#) [PGOV](#) [TX](#)

SUBJECT: GOVERNMENT PROVIDES LEGAL CONSULTATIONS FOR TURKMEN
CITIZENS

11. (U) Sensitive but Unclassified. Not for Internet distribution

12. (SBU) SUMMARY: Turkmenistan's Ministry of Justice (MOJ) together with representatives from General Prosecutor's Office, Supreme Court and Ashgabat Lawyers' Association, organizes regular, free of charge legal consultations for average Turkmen to provide them with legal advice on various issues. In the framework of President Berdimuhamedov's policy on democratization and human rights, the MOJ-organized consultations are aimed at raising citizens' knowledge of their rights. Although lawyers of the Ashgabat Lawyers' Association assess these legal consultations to be generally effective, the lack of feedback from people who actually received them leaves open the question about their true effectiveness. END SUMMARY.

GOVERNMENT PROVIDES LEGAL CONSULTATIONS

13. (SBU) From an announcement in the March 6 issue of "Neutral Turkmenistan" newspaper, the Embassy learned that on March 11, employees of the Ministry of Justice, General Prosecutor's Office, Supreme Court of Turkmenistan and members of Ashgabat Lawyers' Association would conduct legal consultations for citizens at the Palace of Justice in Ashgabat.

14. (SBU) To learn more about the legal consultations, Embassy's Political Assistant met with Bestir Eywanova, Chairperson of the Presidium of the Ashgabat Lawyers' Association, a public organization registered with the MOJ, which participates in sessions to provide legal consultation. Eywanova said that such consultations had been held in the Soviet Union as well, but have recently become more frequent in Turkmenistan primarily because President Berdimuhamedov has emphasized democratization of the country and ensuring the observance of human rights. She suggested that the government, in addition, wants to provide the public with free of charge legal consultation because it understands that not everyone can afford to pay for it.

15. (SBU) According to Eywanova, on average 20-30 persons seeking answers to their legal questions visit each session, and the number of visitors increases steadily. The sessions are held twice a month for two-three hours after work for the convenience of the public.

People ask for consultations primarily on civil law issues such as housing, pension, divorce, alimony, labor, inheritance, etc. Eywanova said that if experts are unable to give a legal consultation on a person's case, they usually send that person to the appropriate ministry dealing with that specific issue for advice. For example, if a senior citizen has a complaint regarding his pension and he does not know where and how to address the matter, if he cannot get a legal consultation at the session, he is normally sent to the Ministry of Social Welfare to sort out the matter.

OPINION OF A LAWYER

¶16. (SBU) According to Sharafat Dovranova, a lawyer from the Legal Consultation Office of the Ashgabat Lawyers' Association, consultations are conducted by senior officials such as City Prosecutor or his deputy, an official from Ashgabat Court or Supreme Court of Turkmenistan, MOJ Department Head and an experienced lawyer from lawyers' Association. During the Soviet period, only mid-level officials, i.e. MOJ legal consultants, would conduct such sessions. Dovranova assessed these consultations as generally being effective and helpful to people searching for solutions to their legal problems. If a person needs further legal assistance, they can further turn to the services of lawyers from Ashgabat Lawyers' Association who provide legal services for a fee based on a client's ability to pay.

¶17. (SBU) Dovranova also said that the legal matters for which people seek assistance are predominantly of a civil, not criminal nature because Turkmen people are law-abiding and rarely appeal Court decisions in a criminal case. This is the case even if they don't

ASHGABAT 00000359 002 OF 002

agree with the decision. Also, people tend to believe that it is better to spend money on food to send to a convicted family member/relative and wait until he is pardoned than to spend money on appealing court decisions. (NOTE: President Berdimuhamedov pardons large numbers of prisoners several times a year on the occasion of major public holidays. END NOTE.)

¶18. (SBU) COMMENT: At a March 17 Session of Turkmenistan's Security Council chaired by President Berdimuhamedov, Minister of Justice Murat Garryev reported on the activities of the MOJ, including efforts to build legal competence among citizens. These legal consultations organized by the MOJ are probably considered part of the effort to increase the level of legal literacy in the population and raise awareness of their rights. Although in general, such legal consultations are a positive step, not having any feedback from the people who use them makes it difficult to assess how effective they are. END COMMENT.

MILES